



CASE PP/1-22765/A/CGC 2127

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dolores DeCarminé
Type or print name

Dolores DeCarminé
Signature

3/3/04
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1714

NIKOLAS KAPRINIDIS ET AL

Examiner:

APPLICATION NO: 10/675,157

FILED: SEPTEMBER 30, 2003

FOR: FLAME RETARDANT COMPOSITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF SUBSTITUTE DECLARATION
UNDER 37 CFR 1.67

Sir:

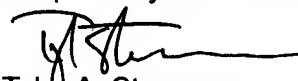
Applicants submit herewith a Substitute Declaration under 37 CFR 1.67. The Declaration as originally filed improperly listed the filing date of the Provisional Application No. **60/419,260** of which the instant application is claiming priority. The Substitute Declaration corrects this error by listing the filing date as October 17, 2002 and not October 16, 2002.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit and overpayment to Deposit Account No. 03-1935.

Ciba Specialty Chemicals Corp.
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
Tel. (914)785-2783
Fax (914)785-7102
TAS/dd
Encl.: Substitute Declaration
Date:

MAR 3 - 2004

Respectfully submitted,


Tyler A. Stevenson
Agent for Applicants
Reg. No. 46,388



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DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

☐ Original ☐ Supplemental ☒ Substitute ☐ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FLAME RETARDANT COMPOSITIONS

which is described and claimed in:

- ☐ the attached specification.
- ☒ the specification in U.S. application No. 10/675,157
filed September 30, 2003, and as amended on January 15, 2004 (if applicable).
(month/day/year) (month/day/year)
- ☐ the specification in International Application No. PCT/ _____,
filed _____, assigned U.S. Application No. _____ (if applicable), and as amended
(month/day/year)
- ☐ under PCT Article 19 on _____ (if applicable)
(month/day/year)
- ☐ under PCT Article 34 on _____ (if applicable)
(month/day/year)
- ☐ and further amended on _____ (if applicable)
(month/day/year)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known by me to be material to the patentability of this application as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America relating to this subject matter having a filing date before that of the application on which priority is claimed:

COUNTRY/REGION (OR PCT)	APPLICATION NO.	FILING DATE (month/day/year)	PRIORITY CLAIMED	
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under 35 USC § 119(e) of any United States provisional application(s) listed below:

APPLICATION NO.	FILING DATE (month/day/year)
<u>60/419,260</u>	<u>October 17, 2002</u>
_____	_____
_____	_____

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or PCT international application(s) designating the United States listed below and, insofar as the application discloses and claims subject matter in addition to that disclosed in the prior copending application, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. APPLICATION NO.	FILING DATE (month/day/year)	STATUS		
_____	_____	<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
_____	_____	<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
_____	_____	<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned

PCT APPLICATION NO.	INTERNATIONAL FILING DATE (month/day/year)	U.S. APPLICATION NO. (if any)	STATUS
_____	_____	_____	<input type="checkbox"/> Patented
			<input type="checkbox"/> Pending
			<input type="checkbox"/> Abandoned

I hereby appoint the following attorneys and agents, associated with Customer No. 000324, each of them with full power of substitution, revocation and appointment of associates, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

JoAnn L. Villamizar (Reg. No. 30,598), Kevin T. Mansfield (Reg. No. 31,635), Tyler A. Stevenson (Reg. No. 46,388) and Michele A. Kovaleski (Reg. No. 37,865).

Address all correspondence associated with Customer No. 000324 to **Ciba-Specialty Chemicals Corporation, Patent Department, 540 White Plains Road, P.O. Box 2005, Tarrytown, NY 10591-9005.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole
or first joint inventor

Nikolas Kaprinidis

Inventor's signature



Date

01/30/04
month/day/year

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Full name of second
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Nicola Lelli

Inventor's signature



Date

02/09/04
month/day/year

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Citizenship

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Same as above